

Docket No.  
027171/014  
SBP:MWS:ph

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants : Uri Rosenschein et al.  
Serial No. : New Application  
Filed : Herewith  
Title : **LYSIS METHOD AND APPARATUS**

**DECLARATION CLAIMING SMALL ENTITY STATUS  
UNDER 37 C.F.R. 1.9(d) AND 1.27(c) - SMALL BUSINESS CONCERN**

Hon. Commissioner of Patents and Trademarks  
Washington, D.C. 20231

I hereby declare that I am an official of the small business concern  
empowered to act on behalf of the concern identified below:

Angiosonics Incorporated  
2200 Gateway Center Blvd.  
Suite 207  
Morrisville, North Carolina 27560

I hereby declare that the above identified concern qualifies as a small  
business concern as defined in 13 C.F.R. §§ 121.801 through 121.805, in accordance with  
37 C.F.R. § 1.9(d), for purposes of paying reduced fees under Sections 41(a), (b) and (h)  
of Title 35, United States Code, in that the number of employees of the concern, including  
those of its affiliates, does not exceed 500 persons. For purposes of this statement:

(1) In calculating the number of employees of the business concern: (a)  
the average numbers of employees is used (including employees of domestic and foreign  
affiliates) based upon numbers of employees for each of the pay periods for the preceding  
completed 12 calendar months; (b) part-time and temporary employees are counted the

same as full-time employees; (c) if the concern has not been in business for 12 months, the average number of employees is used for each of the pay periods during which it has been in business; and (d) the treatment of employees of former affiliates or recently acquired affiliates is the same as for size determinations using annual receipts under 13 C.F.R. § 121.104(d); and

(2) Concerns are affiliates of each other when one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled **LYSIS METHOD AND APPARATUS** by inventor Uri Rosenschein, Yoram Eshel, Vladimir Furman and Efim Kemner, described herein.

If the rights held by the above identified small business concern are not exclusive, each person, concern or organization having rights to the invention is listed below and no rights to the invention are held by any person, other than the inventor, who could not qualify as an independent inventor under 37 C.F.R. § 1.9(c), or by any concern which would not qualify as a small business concern under 37 C.F.R. § 1.9(d) or a nonprofit organization under 37 C.F.R. § 1.9(e):

No such person, concern or organization.

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. 37 C.F.R. § 1.28(b).

I hereby declare that all statements made herein or my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements

and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

**ANGIOSONICS INCORPORATED**

Date: SEPTEMBER 29, 1997

By Richard B. Klein

Name: RICHARD B. KLEIN

Title: VP & COO

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

Uri Rosenschcin, et al.

Serial No. 08/939,289

Group No.: 3737

Filed: September 29, 1997

Examiner: Ruth S. Smith

For: PULSE MODE LYSIS METHOD ( as amended)

Assistant Commission for Patents  
Washington, D.C. 20231

**REVOCATION OF EXISTING POWER OF ATTORNEY  
AND NEW POWER OF ATTORNEY APPOINTING NEW COUNSEL**

As the assignee of the above-identified application, we hereby revoke all prior powers of attorney and we hereby appoint

William H. Dippert, Reg. No. 26,723  
Michael I. Wolfson, Reg. No. 24,750  
Morey B. Wildes, Reg. No. 36,968  
R. Lewis Gable, Reg. No. 22,479

to prosecute and transact all business in the U.S. Patent and Trademark Office in connection therewith.

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Date: May 1, 2000

ANGIOSONICS INC.

  
Warren Taylor  
V.P. Technical Affairs